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22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA  
24 OAKLAND DIVISION

25 JAMES COTTLE, et al.,

26 CASE NO. 4:20-cv-03056-DMR

27 Plaintiff,

28 **DEFENDANT PLAID INC.'S RESPONSE IN  
SUPPORT OF CURTIS PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES SHOULD  
BE RELATED**

v.  
PLAID INC.,

Defendant.

Hon. Donna M. Ryu

29 Action Filed: May 4, 2020

30 Trial Date: None Set

On July 8, 2020, Plaintiffs Rachel Curtis, Alexa Grossman, Mallory Grossman, Steven Hannigan, Alexis Mullen, Jordan Sacks, and Nicholas Yeomelakis (the “Curtis Plaintiffs”) filed an Administrative Motion to Consider Whether Cases Should be Related, arguing that the above-captioned case is related to *Curtis v. Plaid Inc.*, No. 4:20-cv-04344-DMR (N.D. Cal.). See Dkt. No. 42.

Plaid Inc. supports the Curtis Plaintiffs' Administrative Motion because both actions "concern substantially the same [alleged] parties, property, transaction or event." Civ. L.R. 3-12(a)(1), (2). The actions involve the same defendant, Plaid Inc., and the same plaintiffs since the putative nationwide class is identical. Moreover, the two actions involve similar legal theories, and the *Curtis* action includes a subset of the causes of action alleged in *Cottle*. Further, both complaints allege similar facts relating to Plaid's supposed violations of federal privacy laws.

Thus, given the similarity of the alleged parties, underlying factual allegations, and legal theories, relating these two actions will promote efficiency and prevent inconsistent results. Indeed, relation would mitigate the “unduly burdensome duplication of labor and expense” that Plaid Inc. would be required to expend in the event it had to litigate these matters separately. Civ. L.R. 3-12(a)(2).

Dated: July 8, 2020

Respectfully submitted,

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